

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

JAMES E. SMITH

PLAINTIFF

v.

Case No. 1:20-cv-1021

RICKY ROBERTS, SHERIFF UNION COUNTY;
NURSE KASEY; CAPTAIN PHILLIPS; CAPTAIN
MITCHAM; SERGEANT COTTON; SERGEANT
JOHNSON; SERGEANT PENDLETON; and
NURSE RICE

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed October 13, 2021, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 41. Judge Bryant recommends that Plaintiff's Motion for Leave to Appeal *In Forma Pauperis* (ECF No. 40) be denied. No party has filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Upon review, the Court adopts the Report and Recommendation *in toto*. Accordingly, Plaintiff's Motion for Leave to Appeal *In Forma Pauperis* (ECF No. 40) is **DENIED**.

IT IS SO ORDERED, this 4th day of November, 2021.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge